



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960
DEC - 3 2003

4APT-APB

Betsy L. Child, Commissioner
Tennessee Department of Environment and Conservation
401 Church Street
Nashville, TN 37243-0435

Dear Ms. Child:

Thank you for making recommendations on 8-hour ozone air quality designations. Your letter is an important step in providing citizens of Tennessee with information on air pollution levels where they live and work. Levels of ground-level ozone, a major constituent of smog, have improved significantly since the Clean Air Act (CAA) was amended in 1990 at which time 135 areas were designated as not attaining the 1-hour ozone standard. Since that time nearly half those areas (67) have cleaned up their air to meet the 1-hour ozone standard and have been redesignated as attaining that standard. However, many areas have still not met the less stringent 1-hour ozone standard, and in 1997 the U. S. Environmental Protection Agency (EPA) promulgated a more stringent 8-hour ozone national ambient air quality standard. Thus, much work remains to be done. Under the CAA, EPA is required to promulgate designations for new or revised standards, such as the 8-hour ozone standard. Earlier this year, after several public interest groups filed a lawsuit claiming EPA had not met the statutory deadline for designating areas for the 8-hour ozone standard, we entered into a consent decree that requires us to promulgate designations by April 15, 2004.

The CAA defines a nonattainment area as any area that does not meet (or that contributes to ambient air quality in a nearby area that does not meet) the national primary or secondary ambient air quality standard for the pollutant. EPA guidance indicates that Tennessee should use the larger of the Consolidated Metropolitan Statistical Area (CMSA), Metropolitan Statistical Area (MSA), or the 1-hour ozone nonattainment area as the presumptive boundary for 8-hour ozone nonattainment areas. The guidance provides 11 factors that Tennessee should consider in determining whether to modify the presumptive boundaries. We have reviewed your letter, dated July 14, 2003, submitting Tennessee's recommendations on air quality designations for the 8-hour ozone standard. We have also reviewed the extensive justification information you have submitted to support your recommendations for areas that differed from the presumptive boundaries. We appreciate the effort the State has made to develop this supporting information. Consistent with section 107(d)(1) of the CAA, this letter is to inform you that, based upon the information contained in your letter, and in the absence of additional substantiation for your recommendations, EPA intends to make modifications to Tennessee's recommended designations and boundaries.

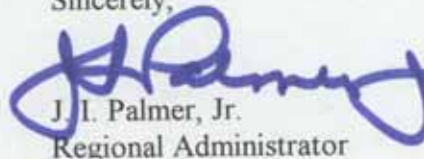
Additionally, the EPA Headquarters' Office of Air and Radiation believes that all MSA counties that are part of an Early Action Compact (EAC) area that contains a violating ozone monitor should be included as part of one area that would be designated as nonattainment. EPA is issuing a proposed rule to defer the effective date for these areas for so long as they continue to meet the milestones required for EAC areas. In Tennessee, we intend to modify the State's recommendation to include: Marion County in the Chattanooga area; Union County in the Knoxville area; Fayette and Tipton Counties in the Memphis area; Cheatham, Dickson and Robertson Counties in the Nashville area; and Carter and Unicoi Counties in the Tri-Cities Area. EPA will work with the State over the next few months to determine whether any information the State submits by February 6, 2004, justify drawing different boundaries for the nonattainment area.

EPA has been tracking preliminary 2003 ozone monitoring data and its impact on areas' preliminary 2001-2003 design values. We received your letter, dated November 19, 2003, informing us that the ozone monitoring data for 2003 has completed the full quality assurance and quality control process and has been fully uploaded into the the Air Quality System (AQS). According to this data, Putnam and Haywood Counties are now meeting the 8-hour ozone standard, and because of this, you have revised your official recommendation for Putnam and Haywood Counties to attainment. EPA concurs with your revised recommendation for Putnam and Haywood Counties.

The enclosures to this letter provide tables in which EPA identifies the counties that should be included in each nonattainment area and a summary explaining why we believe your recommendations are consistent with the statutory definition of a nonattainment area in light of the 11 factors provided in our guidance. Enclosure 1 identifies the areas/counties that will be designated nonattainment. Enclosure 2 provides information on those areas/counties which do not require modification but which differ from EPA's presumptive boundaries.

We look forward to a continued dialogue with Tennessee as we work to finalize the designations for the 8-hour ozone standard. We appreciate your efforts and will review any future supporting information the Tennessee wishes to submit on these recommendations. If you have any questions, please do not hesitate to contact Beverly Banister, Director, Air, Pesticides and Toxics Management Division, at (404) 562-9326 or Kay Prince, Chief, Air Planning Branch, at (404) 562-9026.

Sincerely,



J. I. Palmer, Jr.
Regional Administrator

Enclosures

cc: Barry R. Stephens, P.E., TDEC
Robert H. Colby, Chattanooga-Hamilton County
Lynne Liddington, Knox County DAQM
Diane Arnst, Memphis-Shelby County
Health Department
Rob Raney, P.E., Metro Public Health
Department
Paul E. Patton, Governor, Kentucky
John Lyons, AQ KYDEP
Carol A. Couch, GAEPD
Ronald C. Methier, GAEPD
Mike Huckabee, Governor, Arkansas
Marcus Devine, Arkansas RDEQ
Ronnie Musgrove, Governor, Mississippi
Dwight K. Wylie, MSDEQ

Enclosure 1

The following table identifies the individual areas and counties comprising those areas within Tennessee that EPA intends to designate as nonattainment. Following the table is a description of areas where EPA intends to modify the Tennessee recommendation and the basis for such modification. EPA intends to designate as attainment/unclassifiable all counties not identified in the table below.

Nonattainment Areas		
Area	Tennessee Recommended Nonattainment Counties	EPA Recommended Nonattainment Counties
Chattanooga TN-GA*	Hamilton and Meigs	Hamilton, Marion and Meigs
Clarkesville-Hopkinsville TN-KY*	None	Montgomery
Johnson City-Kingsport-Bristol, TN	Sullivan and Washington	Carter, Hawkins, Sullivan, Unicoi and Washington
Knoxville	Anderson, Blount, Knox, Loudon, Jefferson and Sevier	Anderson, Blount, Knox, Loudon, Jefferson, Sevier and Union
Memphis TN-AR-MS*	Shelby	Fayette, Shelby and Tipton
Nashville	Davidson, Rutherford, Sumner, Williamson, and Wilson	Cheatham, Davidson, Dickson, Robertson, Rutherford, Sumner, Williamson, and Wilson

** Interstate areas: The Georgia portion of the Chattanooga area will be addressed in the letter sent to Georgia. The Kentucky portion of the Clarkesville-Hopkinsville area will be addressed in the letter sent to Kentucky. The Arkansas and Mississippi portions of the Memphis area will be addressed, respectively, in the letters to Arkansas and Mississippi.*

Modifications to Tennessee's Recommendations

Chattanooga TN-GA

Marion County:

EPA is modifying the State's recommendation to include Marion County in the Chattanooga, TN-GA nonattainment area because it is within the Chattanooga MSA, which has a violating monitor and it is a participant in the Chattanooga Early Action Compact (EAC). Marion County, as well as other MSA counties in the Chattanooga EAC, will be designated nonattainment with a deferred effective date so long as the Chattanooga EAC meets all of the required milestones.

Clarkesville-Hopkinsville KY-TN

Tennessee recommended that Montgomery County, which is the only Clarkesville-Hopkinsville CMSA county located in Tennessee, be designated attainment. EPA intends to modify the State's recommendation to include Montgomery County in the Clarkesville-Hopkinsville KY-TN nonattainment area. This was done because Montgomery County is within the presumptive nonattainment area and has the highest population (134,768), highest population density (249.9 people/mile²), and highest projected growth rate (22 percent from 2000-2010) of the two counties in the CMSA according to the 2000 population census. In addition Montgomery County contributes vehicle emissions to the nonattainment area due to a significant number of vehicle miles traveled (1,216 million miles per year). Also Montgomery County emits a significant amount of volatile organic compound (VOC) emissions (8,202 tons per year) which is 19 percent of the total CMSA emissions, and a significant amount of nitrogen oxides (NOx) emissions (5,709 tons per year) which is 11 percent of the total CMSA emissions, to the nonattainment area. This County is within the presumptive boundary, and there was no information provided by the State regarding the 11 factors to exclude this County.

Johnson City-Kingsport-Bristol, TN:

Tennessee recommended that Sullivan and Washington Counties be nonattainment and that the remaining counties in the CMSA be attainment. We intend to modify the State's recommendation to include Carter, Hawkins and Unicoi Counties in the Johnson City-Kingsport-Bristol nonattainment area.

Hawkins County:

Hawkins County is within the presumptive nonattainment area and contributes significant NOx emissions (15,534 tons per year) to the area from vehicle emissions (83 percent of the

people drive to work in the CMSA) and the Sevier Power Plant. No information has been provided by the State regarding planned controls. This County is within the presumptive boundary and the State has not provided a compelling argument to exclude this county based on the 11 factors.

Carter and Unicoi Counties:

EPA is modifying the State's recommendation to include Carter and Unicoi Counties in the Johnson City-Kingsport-Bristol TN nonattainment area because they are within the Johnson City-Kingsport-Bristol CMSA, which has a violating monitor and these counties are participants in the Johnson City-Kingsport-Bristol Early Action Compact (EAC). Carter and Unicoi Counties, as well as other CMSA counties in the Johnson City-Kingsport-Bristol EAC, will be designated nonattainment with a deferred effective date so long as the Johnson City-Kingsport-Bristol EAC meets all of the required milestones.

Knoxville, TN

Union County:

EPA is modifying the State's recommendation to include Union County in the Knoxville, TN-GA nonattainment area because it is within the Knoxville MSA, which has a violating monitor and it is a participant in the Knoxville Early Action Compact (EAC). Union County, as well as other MSA counties in the Knoxville EAC, will be designated nonattainment with a deferred effective date so long as the Knoxville EAC meets all of the required milestones.

Memphis

Fayette and Tipton Counties:

EPA is modifying the State's recommendation to include Fayette and Tipton Counties in the Memphis TN-AR-MS nonattainment area because they are within the Memphis MSA, which has a violating monitor and these counties are participants in the Memphis Early Action Compact (EAC). Fayette and Tipton Counties, as well as other MSA counties in the Memphis EAC, will be designated nonattainment with a deferred effective date so long as the Memphis EAC meets all of the required milestones.

Nashville, TN

Cheatham, Dickson, and Robertson Counties:

EPA is modifying the State's recommendation to include Cheatham, Dickson and Robertson Counties in the Nashville, TN nonattainment area because they are within the Nashville MSA, which has a violating monitor and these counties are participants in the

Nashville Early Action Compact (EAC). Cheatham, Dickson and Robertson Counties, as well as other MSA counties in the Nashville EAC, will be designated nonattainment with a deferred effective date so long as the Nashville EAC meets all of the required milestones.